

JC17 Rec'd PCT/PTO 03 AUG 2001

FORM PTO-1396 (REV 10-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 01-407
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				
INTERNATIONAL APPLICATION NO. PCT/EP99/10399	INTERNATIONAL FILING DATE December 28, 1999	PRIORITY DATE CLAIMED February 5, 1999		
TITLE OF INVENTION METHOD FOR SEVERING OR REMOVING A BIOLOGICAL STRUCTURE, ESPECIALLY BONES				
APPLICANT(S) FOR DO/EO/US Michael Butsch et al.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the applicant within 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
Items 11. to 16. below concern document(s) or information included:				
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.				
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.				
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.				
14. <input type="checkbox"/> A substitute specification.				
15. <input type="checkbox"/> A change of power of attorney and/or address letter.				
16. <input checked="" type="checkbox"/> Other items or information: Applicant claims small entity status.				

page 1 of 2

Express Mail No.:
EL394335953US

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
Express Mail in an envelope addressed to: Commissioner
of Patents and Trademarks, Washington, D.C. 20231

(January 1995)

on August 3, 2001

(Date of Deposit)
Rachel Piscitelli

Signature of Agent for Applicant
Rachel Piscitelli
August 3, 2001
Date of Signature

097890715		INTERNATIONAL APPLICATION NO. PCT/EP99/10399	ATTORNEY'S DOCKET NUMBER 01-407
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO..... \$860.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).. Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$1,000.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>		CALCULATIONS PTO USE ONLY	
		\$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	17 -20 =		X \$18
Independent claims	3 -3 =		X \$80
			+ \$270
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			\$ 990.00
TOTAL OF ABOVE CALCULATIONS =			\$ 990.00
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).			\$ 495.00
SUBTOTAL =			\$ 495.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$ +
TOTAL NATIONAL FEE =			\$ 495.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$ +
TOTAL FEES ENCLOSED =			\$ 495.00
			Amount to be:
			refunded \$
			charged \$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>495.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-0184</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO: GREGORY P. LAPOINTE SACHMAN & LAPOINTE, P.C. 900 CHAPEL ST., SUITE 1201 NEW HAVEN, CT 06510-2802		SIGNATURE: <u>Gregory P. LaPointe</u> NAME <u>28,395</u> REGISTRATION NUMBER	

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

on August 3, 2001
(Date of Deposit)

Rachel Piscitelli
Name and Reg. No. of Attorney
Signature
Date of Signature